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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/191,132	11/13/1998	WALID AHMED	3-39-39-6-13	8292
7590	12/01/2003		EXAMINER	
WILLIAM E. LEWIS RYAN, MASON & LEWIS 90 FOREST AVENUE LOCUST VALLEY, NY 11560			HOM, SHICK C	
			ART UNIT	PAPER NUMBER
			2666	20
DATE MAILED: 12/01/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/191,132	AHMED ET AL.
	Examiner	Art Unit
	Shick C Hom	2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 August 2003.
 - 2a) This action is **FINAL**. 2b) This action is non-final.
 - 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.
- Disposition of Claims**
- 4) Claim(s) 1-20 is/are pending in the application.
 - 4a) Of the above claim(s) 2,7 and 11 is/are withdrawn from consideration.
 - 5) Claim(s) 6 and 8-11 is/are allowed.
 - 6) Claim(s) 1,3-5 and 12-20 is/are rejected.
 - 7) Claim(s) _____ is/are objected to.
 - 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

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DETAILED ACTION

1. Upon reconsideration, the finality of previous office action has been withdrawn.

1. Applicant's arguments with respect to claims 1, 3, 4, 6, 8, 9, 11-14, 16-18, and 20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to

point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 3-5, and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzawa et al. (6,389,023) in view of Lindgren (6,411,632).

Regarding claims 1, 5, 12, 15-16, and 19:

Matsuzawa et al. disclose the method for use in a packet-based multiaccess communications system (col. 3 lines 6-28), comprising the steps of: assigning an address to be associated with one or more packets of the user station, the address being a combination of an identifier of the user station and an identifier of a network node in the communications system with which the user station is currently associated (see Figs. 1A-E which shows the MAC address formats used in the router device which includes the combination of the node identifier which read-on the associated network node identifier and vendor identifier which read-on the user station identifier and col. 4 line 33 to col. 5 line 30).

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Regarding claims 3, 13, 17, 20:

Matsuzawa et al. disclose wherein the identifier of the user station is a medium access control address of the station and being a data link address (col. 4 lines 33-44, col. 1 line 63 to col. 2 line 4).

Regarding claims 4, 5, 14, 15, 18, 19:

Matsuzawa et al. disclose wherein the address of the user station further includes an application flow identifier (see Fig. 1E datalink flow identifier 134).

For claims 1,⁵,₁₂,¹⁵ and 16 Matsuzawa et al. disclose all the subject matter of the claimed invention with the exception of automatically reassigning another address to be associated with one or more packets of the mobile user station when the station becomes associated with another network node of the communications system, the other address being a combination of the identifier of the mobile user station and an identifier of the other network node; such that a network node in the communications system is not required to obtain additional address information to direct a packet associated with a call to or from the mobile user station as in claim⁶ 1; and the network node being able to move within the communications system as in claims 12 and 16.

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Lindgren et al. from the same or similar fields of endeavor teach that it is known to provide the step of automatically reassigning another address to be associated with one or more packets of the mobile user station when the station becomes associated with another network node of the communications system, the other address being a combination of the identifier of the mobile user station and an identifier of the other network node; such that a network node in the communications system is not required to obtain additional address information to direct a packet associated with a call to or from the mobile user station (see col. 5 line 37 to col. 6 line 20 which recite the IP address stored in the roaming routing request message from the mobile being the address of the registered wireless office, which corresponds to the network node now claimed, and when the mobile is no longer registered with that wireless office the network hub automatically removes the mobile identification number from the translation table and update the mobile registration clearly anticipate the step of automatically reassigning another address to be associated with one or more packets of the mobile user station when the station becomes associated with another network node such that a network node in the communications system is not required to obtain additional address information to direct a packet associated with a call to or from the mobile user station) and the network node being able to move within the communications system (col. 3 lines 6-20

which recite the interconnected switching nodes commonly referred to as mobile switching centers clearly anticipate the network node being able to move). Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to automatically reassigning another address to be associated with one or more packets of the mobile user station when the station becomes associated with another network node of the communications system, the other address being a combination of the identifier of the mobile user station and an identifier of the other network node; such that a network node in the communications system is not required to obtain additional address information to direct a packet associated with a call to or from the mobile user station; and the network node being able to move within the communications system as taught by Lindgren et al. in the method for use in communication of Matsuzawa et al. The step of automatically reassigning another address to be associated with one or more packets of the mobile user station when the station becomes associated with another network node of the communications system, the other address being a combination of the identifier of the mobile user station and an identifier of the other network node; such that a network node in the communications system is not required to obtain additional address information to direct a packet associated with a call to or from the mobile user station can be implemented by including this step of automatically reassigning

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address of Lindgren et al. into the node that provides the destination address to the frame header of Matsuzawa et al.] The motivation for providing the step of automatically reassigning another address to be associated with one or more packets of the mobile user station when the station becomes associated with another network node of the communications system as taught by Lindgren et al. in the communication method of Matsuzawa et al. being that it provides more efficiency for the system since the destination address can be automatically reassigned at the transmitting node when the station becomes associated with another network node, i.e. destination node, of the communications system. The feature of having network node being able to move within the communications system can be implemented by including the movable network node feature of Lindgren et al. into the communication node of Matsuzawa et al.] The motivation for providing the network node that is able to move within the communications system of Matsuzawa et al. being that it provides the desirable added feature of mobility in the system of Matsuzawa et al.

Allowable Subject Matter

5. Claims 6 and 8-11 are allowed.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kallioniemi et al. disclose a telecommunications network with relocateability of subscriber number.

7. Any response to this nonfinal action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (2600 Receptionist at (703) 305-4750).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick Hom whose telephone number is (703) 305-4742. The examiner's regular work schedule is Monday to Friday from 8:00 am to 5:30 pm EST and out of office on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao, can be reached at (703) 308-5463.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Seema S. Rao
SEEMA S. RAO 11/25/03
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

SH

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November 19, 2003